

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

EDGE CAPTURE L.L.C. and EDGE
SPECIALISTS, L.L.C.,

Plaintiffs,

V.

BARCLAYS BANK PLC, BARCLAYS
CAPITAL INC., UBS AG, UBS
FINANCIAL SERVICES INC., UBS
SECURITIES, L.L.C., WOLVERINE
TRADING, L.L.C., AND WOLVERINE
EXECUTION SERVICES, L.L.C.,

Defendants.

Civil Action No. 09 CV 1521

JURY TRIAL DEMANDED

Judge Charles R. Norgle, Sr.

Magistrate Judge Denlow

**DECLARATION OF SANG YOUNG A. BRODIE IN SUPPORT OF PLAINTIFFS EDGE
CAPTURE L.L.C.'S AND EDGE SPECIALISTS, L.L.C.'S MOTION TO COMPEL THE
WOLVERINE DEFENDANTS TO COMPLY WITH LOCAL PATENT RULE 2.1(b)(1), TO
EXTEND THE DEADLINE FOR EDGE TO SERVE ITS LPR 2.2 INITIAL INFRINGEMENT
CONTENTIONS REGARDING WOLVERINE, AND TO ADOPT THE BRIEFING
SCHEDULE FROM D.E. 194 FOR THIS MOTION**

I, Sang Young A. Brodie, declare as follows:

1. I am an attorney licensed to practice law in Minnesota, and am admitted on a *pro hac vice* basis before this Court in the above entitled action. I am a member of the law firm Robins, Kaplan, Miller & Ciresi L.L.P., counsel of record for Plaintiffs Edge Capture L.L.C. and Edge Specialists, L.L.C. (“Edge”) in this action.

2. I have personal knowledge of the facts stated herein, and if called upon to testify thereon as a witness, would do so.

3. Attached hereto as Exhibit 1 is a true and correct copy of email correspondence from me to counsel for Wolverine, Robert W. Unikel, dated June 17, 2011, regarding Wolverine’s failure to comply with Local Patent Rule 2.1(b)(1).

4. Attached hereto as Exhibit 2 is a true and correct copy of email correspondence between Robert W. Unikel and me, dated June 20, 2011, regarding Edge’s request to meet and confer.

5. Attached hereto as Exhibit 3 is a true and correct copy of email correspondence from me to Robert W. Unikel, dated June 23, 2011, following up on a telephonic meet-and-confer meeting held on June 22, 2011. Mr. Unikel requested time to discuss Edge’s position with his clients.

6. Attached hereto as Exhibit 4 is a true and correct copy of email correspondence between me and Robert W. Unikel, dated June 28, 2011, regarding scheduling a telephonic meet-and-confer meeting.

7. Attached hereto as Exhibit 5 is a true and correct copy of email correspondence from me to Robert W. Unikel, dated June 29, 2011, following up on a telephonic meet-and-confer meeting held on June 29, 2011. Mr. Unikel stated that he would discuss with Wolverine making a proposal to produce a set of technical documents showing the operation and construction of the trading systems that engaged in

the trades identified in the Amended Complaint. Edge agreed to give Mr. Unikel time to have that discussion with Wolverine.

8. The parties met and conferred by telephone on July 5, 2011. During the telephonic meet-and-confer, Mr. Unikel did not make a proposal to produce a set of technical documents for the accused trading systems; he instead explained that Wolverine believed it did not infringe the patents.

9. Attached hereto as Exhibit 6 is a true and correct copy of email correspondence from me to Robert W. Unikel, dated July 11, 2011, confirming that the parties were at an impasse with regards to the sufficiency of Wolverine's disclosures under LPR 2.1(b)(1) on July 11, 2011.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Dated: July 14, 2011

/s/ Sang Young A. Brodie
Sang Young A. Brodie

CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that on July 14, 2011, he caused a true and correct copy of the **DECLARATION OF SANG YOUNG A. BRODIE IN SUPPORT OF PLAINTIFFS EDGE CAPTURE L.L.C.'S AND EDGE SPECIALISTS, L.L.C.'S MOTION TO COMPEL THE WOLVERINE DEFENDANTS TO COMPLY WITH LOCAL PATENT RULE 2.1(b)(1), TO EXTEND THE DEADLINE FOR EDGE TO SERVE ITS LPR 2.2 INITIAL INFRINGEMENT CONTENTIONS REGARDING WOLVERINE, AND TO ADOPT THE BRIEFING SCHEDULE FROM D.E. 194 FOR THIS MOTION** to be served on the below parties through the CM/ECF system:

Jeffrey G. Randall	jeff.randall@paul.hastings.com
Allan M. Soobert	allan.soobert@paulhastings.com
Emily N. Dillingham	emilydillingham@paulhastings.com
Robert W. Unikel	Robert.unikel@kayescholer.com
Deanna L. Keysor	Deanna.keysor@kayescholer.com
Michelle K. Marek	michelle.marek@kayescholer.com

/s/Patrick G. Burns

Patrick G. Burns